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In re Application of:)
Mitsuo YASUSHI et al.) Examiner: Alyssa M. Alter
Application No.: 10/649,858) Group Art Unit: 3762
Filed: August 28, 2003) Confirmation No.: 6382
Title: SYSTEM, METHOD, PROGRAM, AND MEDIUM FOR MEASURING HEART RATE)))

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop Amendment
Alexandria, VA 22314

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the document listed on the attached PTO Form 1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. § 1.114 for the above-referenced application. Accordingly, Applicants do not believe that a fee is due for filing this paper.

A Japanese Office Action dated February 6, 2007 that issued in a Japanese patent application and having a document cited therein is attached for the Examiner's consideration. The cited document is listed on the attached PTO Form 1449.

The relevance of the attached foreign language document can be understood from its attached English-language abstract, and from the citation of this document in the attached Japanese Office Action dated February 6, 2007. Applicants respectfully request that the Examiner consider the listed document and evidence that consideration by making appropriate notations on the attached form.

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This submission does not represent that a search has been made or that no better art exists

and does not constitute an admission that the listed document is material or constitutes "prior art." If

it should be determined that the listed document does not constitute "prior art" under United States

law, Applicants reserve the right to present to the Office the relevant facts and law regarding the

appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of

the disclosed invention over the listed document, should the document be applied against the claims

of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized

by this paper to charge any additional fees during the entire pendency of this Application, including

fees due under 37 C.F.R. § 1.16 and 1.17 which may be required and including any required

extension of time fees, or credit any overpayment to Deposit Account No. 50-0573. This paragraph

is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance

with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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MAR 0 5 2007 INFORMATION DISCUSTREES Attorney Docket No.: Serial No.: 46970-5197 10/649,858 (Use several sheets if necessary) Applicants: Page 1 of 1 Mitsuo YASUSHI et al. PTO Form 1449 Filing Date: Group Art Unit: August 28, 2003 3762 **U.S. PATENT DOCUMENTS** Document *Examiner Sub Initial Number Date Name Class Class Filing Date FOREIGN PATENT DOCUMENTS Document Sub **Translation** Number YES Date Country Class Class NO 07-508185 Sept. 14, 1995 Japan Abstract OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) Date Considered Examiner Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.